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6 Attorneys for Defendants
SWISH MARKETING, INC. and
7 MATTHEW PATTERSON

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION
12

13 FEDERAL TRADE COMMISSION,

Case No. C09 03814 RS

14 Plaintiff,

15 v.

Date: January 13, 2010
Time: 9:30 a.m.
Ctm: 4, 5th Floor

16 SWISH MARKETING, INC., a
corporation, MARK BENNING,
17 individually and as an officer of SWISH
MARKETING, INC., MATTHEW
18 PATTERSON, individually and as an
officer of SWISH MARKETING, INC.,
19 and JASON STROBER, individually
and as an officer of SWISH
20 MARKETING, INC.,

**STIPULATION AND ORDER RE
CHANGE OF HEARING DATE
FOR DEFENDANTS' MOTION TO
STRIKE**

21 Defendants.
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Pursuant to Local Rule 6-2(a), the parties to this action hereby stipulate that, with the leave of the Court, the hearing on Defendants' Motion to Strike, which was previously scheduled for January 6, 2009, be changed to January 13, 2010, at 9:30 a.m. in Courtroom 4 on the Fifth Floor of the above-entitled Court, located at 280 South 1st Street, San Jose, California. The parties further agree and stipulate that the existing deadlines for the filing and service of the opposition papers (which are due by December 16, 2009) and the reply papers (which are due by December 23, 2009) shall not be changed as a result of this change of hearing date.

SO STIPULATED.

Dated: December 4, 2009

LOEB & LOEB LLP

By: /s/
Michael L. Mallow
Michael A. Thurman

Attorneys for Plaintiffs
Swish MARKETING, INC. AND
MATTHEW PATTERSON

Dated: December 4, 2009

NORTHROP SCHLUETER, APLC

By: /s/
Linda L. Northrup
Attorneys for Plaintiff JASON STROBER

Dated: December 4, 2009

BERGESON, LLP

By: /s/
Daniel J. Bergeson
Elizabeth D. Lear
Donald P. Gagliardi
Attorneys for Defendant MARK BENNING

Dated: December 4, 2009

FEDERAL TRADE COMMISSION

By: /s/
Lisa D. Rosenthal
Kerry O'Brien
Evan Rose
Attorneys for Plaintiff
FEDERAL TRADE COMMISSION

ORDER

Pursuant to the Stipulation by all parties in this action, the hearing on Defendants' Motion to Strike, which was previously scheduled for January 6, 2009, shall be changed to January 13, 2010, at 9:30 a.m. Any opposition papers shall be filed and served by December 16, 2009 and any reply papers shall be filed and served by December 23, 2009.

SO ORDERED.

Dated: December 4, 2009



Hon. Richard G. Seeborg
United States Magistrate Judge